

Restriction Requirement Under 35 U.S.C. §§ 121 and 372

Claims 1 to 27 are pending in the application. Claims 1 to 27 are subject to a restriction requirement. Applicants traverse the restriction and request reconsideration and withdrawal of the restriction requirement for the reasons set forth herein.

The Examiner required restriction of claims 1 to 27 to one of the following Groups:

- I. Claims 1- 7, drawn to a composition comprising an *E. coli* FabH in crystalline form, an *E. coli* FabH crystal, and a selenomethionine mutant crystal of an *E. coli* FabH.
- II. Claims 8-11, drawn to an isolated properly folded Fab H molecule or fragment thereof.
- III. Claims 12 and 17, drawn to a peptide, peptidomimetic or synthetic molecule that interacts competitively or non-competitively with the active site of a FabH of claim 1 or inhibits the enzymatic activity of FabH.
- IV Claims 13-16, drawn to a method of identifying an inhibitor compound
- V Claim 18, drawn to a method of solving a crystal form.
- VI Claims 19-27, drawn to a method of drug design

While the groups identified may be distinct, they are not independent because search terms for one group will necessarily be shared with other groups. Therefore, doing searches on these groups combined would not be a significant burden on the Examiner. Nevertheless, in the interest of advancing the prosecution of this case, Applicants wish to make a provisional election of Group I, claims 1-7. Applicants retain the right to file divisional applications on the non-elected subject matter. In view of the above, applicants submit that the instant restriction is improper and request that all of the pending claims be examined in the same application.